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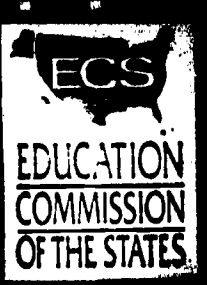
ABSTRACT

Controversy abounds in states and communities across the United States about how best to manage the nation's schools. Much of the current debate over school reform can be reduced to a single question: Who should decide? This report discusses some of the ways in which policymakers have attempted to give schools greater flexibility from rules and regulations. The report is based on the belief that the existence of school choice will create competitive pressures for schools to improve. It presents a variety of strategies to provide greater flexibility for education, and asserts that the key to flexibility is a fundamental change in the relationships between individual schools and the public agencies that authorize and fund them. Schools must control real-dollar resources and key employment decisions. The report argues that flexibility allows schools to be more responsive to parents' wishes and students' needs; gives teachers and administrators a stronger sense of purpose and responsibility; creates models of innovation; and encourages schools to use their resources more efficiently. The range of strategies that promote flexibility can be divided into two broad categories: (1) those that are designed to apply to all schools; and (2) those that present individual schools, districts, and communities with options. The first category includes waivers; state education code revisions; standards, assessment, and accountability reforms; public school choice; vouchers; collective bargaining changes; school-finance changes; and the restructuring of state education agencies and school district offices. The second category includes decentralized decision making and alternative models of delivering education, such as charter schools, reform networks, and private contracting. The document also outlines the new roles for schools, school boards, state education agencies, and states under a flexible framework. One figure, a matrix showing state-by-state policies, and a list of contributors are included. (Contains 29 references.) (LMI)

Without Breaking



Bending without Breaking

Improving Education through Flexibility & Choice

707 17th Street, Suite 2700
Denver, Colorado 80202-3427
Telephone: 303-299-3600
Fax: 303-296-8332
e-mail: ecs@ecs.org

JUNE 1996

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Bending without Breaking

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PREFACE

Controversy is simmering in states and communities across America about how best to manage our nation's schools. The controversy may come to a boil in the near future — and that may be a good thing, if the result is a broader public debate about what it will take to improve student learning.

Much of the current debate over school reform can be reduced to a single question: Who should decide? Increasingly, liberals and conservatives alike argue that efforts to reform public schools are constrained by the education system itself — the complex mass of laws, rules and regulations that control the daily life of schools. The system is seen as limiting individual choices in order to further the interests of adults rather than children.

The challenge for public education is to prepare students who can make a positive contribution to society in their roles as citizens and in the workforce. This means that all students need to be grounded in the fundamentals, capable of solving problems and able to make good life decisions.

We now know there is no "one best way" of teaching and learning. This report challenges the idea of a highly centralized state and school district system and asks whether it would be better to give communities, parents and educators more choices about schooling.

Today, the vast majority of school systems limits the choices available to students and their parents. Many believe that fairness requires that all students be treated alike. This ignores two fundamental truths. The first is that the same regulations and often even the same funding produce enormously different schools. The second is that students differ greatly in their approaches to learning. The goal for public education should be to establish a state and district education system that matches schools and the students they teach.

There is also a growing belief among policymakers that it is essential to create competitive pressures among schools. The hope is that the existence of student and parental choice will create such pressures and thereby encourage all schools to improve.

This report is about creating a system of schools with a dynamic organizational culture that reconfigures itself to be competitive in new situations. It is about creating a winning combination of players who are free from limits and regulations that get in the way of meeting student needs. Though some may see these ideas for reform as bitter medicine, policymakers must find a way to deal with the mass of red tape currently choking our nations' schools. We need schools that can competently perform the social function for which they exist — to educate.

This report, ***Bending Without Breaking: Improving Education Through Flexibility and Choice,*** discusses some of the ways in which policymakers have attempted to give schools greater flexibility and relief from rules and regulations. It is important to note that many of the strategies discussed in this report have yet to prove their effectiveness. Many are too new. In some settings, the strategies are unlikely to succeed because they were not combined effectively. Nevertheless, we believe it is time to start thinking about new and more radical ways to build on and extend the efforts of states to improve public education and increase the number of students succeeding in schools.

Bending Without Breaking suggests ways for schools to operate differently and use resources more effectively. This report suggests new roles for schools, districts and states.

We asked an experienced and thoughtful group of experts (governors, educators, researchers, legislators) to participate in the development of the report. We have not asked them to endorse the recommendations in this report. The intent of this report is to stimulate national discourse on flexibility issues and how they might serve to make schools more effective for all students. Some strategies are controversial, and, as mentioned earlier, the jury is still out on which of these strategies will prove most effective.

Bending Without Breaking precedes a companion document that will describe in more detail what states and territories are doing to give greater flexibility to schools. This report complements two other recent ECS publications, *Bridging The Gap* and *Standards and Education*, that report on efforts states are making to improve student learning.

Governor Tommy Thompson, Wisconsin
Chairman, Education Commission of the States, 1995-96

Frank Newman
President, Education Commission of the States

FOREWORD

Today, there are many ways to run a school. Reform initiatives such as Accelerated Schools, the Coalition of Essential Schools and New American Schools, as well as community-initiated charter schools, represent powerful strategies for improving education. Yet the central challenge facing these and other promising efforts is frustration with a system naturally resistant to change and diversity.

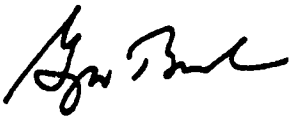
The root problem is not that all things are done poorly or wrong. In fact, many things are done right. Nor are the problems simply sluggishness, complacency, arrogance or mammoth bureaucracies. The system itself is broken, and piecemeal policies are not enough to fix it. Instead, schools, districts and states need relief from the laws, rules and regulations currently governing the education process. They need supportive organizational structures as well as policies and strategies that work together to support greater choices for teaching and learning.

Bending without Breaking: Improving Education through Flexibility and Choice is intended to help state leaders extend and combine existing policies to provide greater flexibility for education. This report addresses an array of promising strategies. Alone, these strategies may not produce needed improvement in student learning; but, when taken together, they constitute a comprehensive approach to educational improvement that could bring the results policymakers are searching for.

Schools, districts and states need to rethink their mission, their strengths and weaknesses, and their assumptions about education in order to assess to what degree they match the current reality. Does our system of public education meet the diverse and changing needs of today's school population? Does the system provide educators, parents and communities with the options they are demanding? Will broadly accepted standards provide schools with a clear enough focus to permit states and districts to peel back the accumulated layers of policy unrelated to student achievement?

Bending Without Breaking explores these questions and discusses how existing policies can be coupled with other innovations to provide a more comprehensive approach to education reform.

Governor John Engler, Michigan



Governor George Bush, Texas

Governor Tom Ridge, Pennsylvania

EXECUTIVE SUMMARY

The demands on public education are changing in many ways: demographically, economically, politically. To adapt to these changes, public education must be flexible. In a more ordered and less demanding time, it made sense for American states and localities to seek the efficiencies of a uniform model of education — through large schools and school districts with many centralized rule and services. But the pace of change and the need for higher academic achievement make such uniformity obsolete.

RATIONALE

Flexibility represents a commitment to build a system that supports strong, competent, adaptable schools, each of which not only responds to state needs and standards but also takes full advantage of the particular strengths of its own children, families and teachers.

The key to flexibility is a fundamental change in the relationships between individual schools and the public agencies that authorize and fund them. State departments of education, local school boards and local school district administrations must become investors in new ideas and managers of diverse portfolios of strong, initiative-taking schools. They must abandon micromanagement, including detailed controls over school budgets, hiring and expenditures.

While creating flexibility may be useful throughout the education system, doing so at the school level matters most. Administrators, teachers, and parents are in the best position to take initiative and exercise discretion in the interests of children. Flexibility is meant to increase freedom of action for schools.

The call for flexibility stems from several shifts in public opinion, including an increasing demand for more efficiency and productivity in public services, greater willingness to consider markets and competition as alternatives to bureaucracies, a growing desire for parent and educator choice, and a rising concern that standards alone may not produce major changes in student performance.

While flexibility is no panacea, it offers several advantages over a more rigid system of education. Autonomy allows schools to be more responsive to parents' wishes and students' needs, gives teachers and administrators a stronger sense of purpose and responsibility, creates models of innovation, and encourages schools to use their resources more efficiently.

The biggest obstacle to flexibility may simply be inertia. The challenge for state policymakers is to explain both the new demands on America's education system and the ways in which the current system is no longer adequate. They need to make the case for bending the system without breaking it.

A RANGE OF STRATEGIES

The range of strategies that fall under the heading of "flexibility" can be divided into two broad categories: (1) those that are designed to apply to all schools; and (2) those that present individual schools, districts and communities with options.

The first category includes waivers; state education code revisions; standards, assessment and accountability reforms; public school choice; vouchers; collective bargaining changes; school finance changes; and the restructuring of state education agencies and school district offices.

The second category includes decentralized decisionmaking and alternative models of delivering education, such as charter schools, reform networks and private contracting.

To make these policies work, policymakers need to ensure that schools have access to competent assistance organizations, both public and private; provide consumer information to help school staffs connect with appropriate sources of assistance; and direct extra funds to schools in trouble. Failed schools need to be replaced by new staffs, matched with capable assistance organizations.

Assistance of this kind may be enough to start the improvement process in many schools. But some schools are so internally divided — or so impeded by small groups of staff who refuse to vary their routines — that they will not change without strong incentives. An incentive system must include a set of standards against which school performance can be judged; valid and fair methods for measuring performance; and real consequences for teachers, administrators and the schools themselves.

REDEFINING ROLES

Ultimately, flexibility requires profound changes in the status of individual schools, from nodes in a bureaucracy to accountable, independent organizations. To enjoy true freedom of action, schools must control real-dollar resources as well as key employment decisions — hiring, compensation, evaluation and firing.

To allow schools to pursue definite strategies of instruction, parents must be able to choose schools whose approaches they understand and support. And parents who cannot accept a school's approach must be free to choose another school in which they can be more comfortable.

School boards, in turn, need new powers to support innovative schools and to intervene to transform or replace failing schools. State education agencies must ensure that local boards and individual schools can find competent sources of assistance — on curriculum, staff development and school evaluation.

In order to gauge student achievement and evaluate the success of different schools and districts, states need to implement a reliable assessment system, based on their own education standards and curriculum frameworks. States also need an accountability system to keep the public informed of schools' progress. Indeed, the public should be engaged from the outset, ensuring that the process of reform — and the schools that emerge from it — are truly locally controlled.

The key to flexibility is a fundamental change in the relationships between individual schools and the public agencies that authorize and fund them.

CONCLUSION

State leaders have the ability — and certainly the desire — to create dramatic improvements in public education. If we want more effective schools, we must encourage flexibility throughout the system. As earlier reform efforts have shown, piecemeal policies often produce disappointing results.

▸ CHAPTER 1

FLEXIBILITY AND MORE EFFECTIVE SCHOOLS

GROWING DEMANDS

The demands on public education are changing in many ways:

- *demographically*, as immigrant, low-income and minority students account for an ever-larger share of the public school population;
- *economically*, as established industrial firms become less important sources of jobs, and as international competition requires American businesses to make more productive use of labor and technology;
- *politically*, as voters become less willing to pay for bureaucratic responses and entitlements, forcing K-12 and higher education to compete with health care, safety, infrastructure development and other public services for limited funds.

To adapt to these changes, public education must be *flexible*. In a more ordered and less demanding time, it made sense for American states and localities to seek the efficiencies of a uniform model of education, through large schools and school districts with many centralized services. But the pace of change and the need for higher academic achievement makes such uniformity obsolete.

We can no longer predict exactly what young people will need to know in order to succeed in the next century. But we *do* know that many different teaching methods and instructional philosophies can work effectively — and that students who fail under one teaching approach can succeed under another. Our public education system must learn to accommodate many different approaches.

BALANCING TENSIONS

The demand for flexibility, voiced by advocates of home schooling, charter schools and other reforms, has grown dramatically in recent years. At the same time, though, public officials and business leaders are pressing for higher and more explicit standards of student achievement — a goal that seems to entail more central control.

The tension between these forces — toward flexibility, on the one hand, and standards, on the other — is not impossible to resolve. While the flexibility and standards movements start from very different assumptions, they are *not* in conflict; to the contrary, they depend upon each other. To meet the needs of a rapidly changing society, we need schools that are both fixed and free: fixed on the goal of helping all students reach high standards, and free to tailor instructional methods to the needs of the communities they serve.

Flexibility is not license for anarchy. It is a commitment to building a system of strong, competent, adaptable schools, each of which not only responds to state needs and standards but also takes full advantage of the particular strengths of its own children, families and teachers.

To some, the pressure for flexibility appears negative, *against* regulation rather than for any specific alternative vision of public education. In practice, though, flexibility implies a positive vision of how schools can operate in the public interest without sacrificing their capacity to innovate and respond to change.

EMPOWERING SCHOOLS

The key to flexibility is a fundamental change in the relationships between individual schools and the public agencies that authorize and fund them. State departments of education, local school boards and local school district administrations must take on new missions and abandon old ones. Public agencies must become investors in new ideas and managers of diverse portfolios of strong, initiative-taking schools. They must abandon micromanagement, including detailed controls over school budgets, hiring, and expenditures.

While creating flexibility may be useful throughout the education system, doing so at the school level matters most. Administrators, teachers and parents are in the best positions to take initiative and exercise discretion in the interests of children. Flexibility is meant to increase freedom of action for schools, *not* to increase external regulators' opportunities to experiment. Flexibility is meant to enhance a school's opportunity to mount an effective instructional strategy, not to enable individual teachers to do whatever they please.

In that sense, flexibility is not just the absence of regulation; it is a freedom within a framework of goals and expectations. Flexibility will require profound changes in the way Americans fund, authorize and supervise public schools. Public schools cannot be entirely independent. They educate children and use public funds. A flexible system of public education requires new answers to important questions: Who can decide whether the people running a particular school can be trusted with flexibility? For what student outcomes must schools be accountable, and who will judge whether a school has succeeded? Who will be responsible for replacing ineffective schools with more effective ones? How can schools have the freedom to change, yet be held strictly accountable for performance? Who within a school should have the authority to make decisions?

Flexibility is not just the absence of regulation; it is a freedom within a framework of goals and expectations.

SHIFTS IN PUBLIC OPINION

Flexibility is not a new idea. For at least the past 40 years, some educators have claimed that government efforts to make schools better and fairer places have harmed schools. Although regulations, categorical programs and expansions of teacher collective bargaining arose from laudable motives, together they made schools less like communities and more like government agencies. Teachers and parents complained that public schools were too rule-bound and inflexible, that there were too few opportunities for personal initiative and professional collaboration, and that too many educators considered themselves accountable to compliance auditors rather than to parents.

State and federal leaders have often taken these claims seriously, but regulation has continued to grow. The current appeal of flexibility is based on a growing consensus among educators and analysts that more regulation will only make things worse — and that schools must function more like communities and less like government agencies.

That consensus is based on several recent shifts in public opinion, including:

- *A growing demand for more efficiency and productivity in public services.* The cost of public education continues to rise at rates above the rate of inflation without corresponding improvements in student learning. Pressures to economize, to get more value for the dollar, have forced policymakers to seek alternative ways of providing public education.

- *Greater willingness to consider markets and competition as at least partial alternatives to bureaucracy.* Under the current publicly controlled and publicly operated system of schools, there are few incentives to improve student learning. Although the public education system does a fair job of ensuring equity, preventing discrimination and keeping schools staffed and open, it fares less well in handling complex tasks, replicating successes of other schools, serving diverse student populations and utilizing rapidly changing technologies. Some believe that private organizations and markets are better suited to the latter tasks. The growing attractiveness of private alternatives for public service delivery stems in part from the belief that incentives work better than rules for getting desired results. Markets can also provide quicker response to failure.

- *A growing desire for choice.* The desire for greater choice of educational services stems from the growing realization that there is no single best way to educate children. Students have different learning styles and respond better to certain kinds of instruction than to others. Schools and the media provide families with increasing amounts of information about a wide variety of successful schools, from which more and more parents are demanding the right to choose.

- *Rising concern that standards alone may not create major changes in performance.* Many observers regard the standards movement as necessary but insufficient. Higher expectations and assessments that measure schools' success in meeting the standards will not improve schools unless there are strong incentives in the form of competition, rewards and sanctions to transform schools into effective learning organizations.

RESPONSIVENESS AND RESPONSIBILITY

While flexibility is no panacea, it offers several advantages over a more rigid system of education. First, school autonomy allows schools to be more responsive to parents' wishes and students' needs. Such responsiveness, in turn, generally makes parents more likely to approve and support the schools themselves.

Policies that increase school-level flexibility also give teachers, administrators, parents and students a stronger sense of purpose and responsibility. Schools that control more of their own operations are more likely to act as a cohesive, focused community rather than as a group of independent practitioners, each responding in his or her own way to a set of externally imposed rules.

In addition, flexibility creates innovations, yielding models that can then be supported by states and school districts and replicated by other schools. Private funders can further this process as well: The Annenberg Foundation, for example, provides support for an array of school designs. These school-wide reforms are available to districts and schools to improve student achievement.

Finally, shifting decisionmaking to the school level can encourage schools to use their resources more efficiently. The principal and staff of the Vaughn Next Century Learning Center, a charter school in Los Angeles, for example, saved $1 million from an annual budget of $4.6 million. The school then used its savings to reduce class size, restore salaries, build new classrooms, install computers, increase instructional days and help neighboring schools. The Vaughn Center's students registered substantial gains in performance — the ultimate goal of any education reform.

OVERCOMING OBJECTIONS

Proponents of flexibility face significant opposition, not only from detractors who simply fear change but also from more thoughtful critics. The following are some of the most likely objections to flexibility initiatives and corresponding counter-arguments:

- *Consistency.* Some opponents of flexibility argue that opening up the education system will make it less predictable and consistent. These opponents are right. But standardization is unfair to students who are ill-served by the current education system. And this system may be significantly more expensive than possible alternatives.

- *Choice.* Some critics contend that only the wealthiest parents will take advantage of new options, leaving existing schools with children from poor and supposedly apathetic families. There is, however, no evidence that poor families care less about their children's education than other families do. What those families typically lack are the means to affect their children's education — by investing time or money in the schools to which they have been assigned or by picking better ones. Flexibility should give these families more choices and, in so doing, increase their interest and involvement in their children's education.

- *Funding.* Some critics argue that by providing public funds to charter schools or to families under voucher schemes, flexibility threatens to dilute existing education dollars. But if flexibility increases the efficiency of public schools, as intended, it should also increase public satisfaction, potentially making needed revenue increases more palatable.

- *Inertia.* The biggest obstacle to flexibility may simply be inertia. Parents satisfied with their own experience in public schools may find it difficult to accept the need for change. School board members and school district officials may be reluctant to relinquish their power and control over schools. Teacher unions may resist losing prerogatives gained through years of bargaining. The challenge for state policymakers is to explain both the new demands on America's education system and the ways in which the current system is no longer adequate. They need to make the case for bending the system without breaking it.

State policymakers must explain both the new demands on America's education system and the ways in which the current system is no longer adequate.

CHAPTER 2

POLICIES AND STRATEGIES TO INCREASE FLEXIBILITY

BACKGROUND

Recent moves to expand flexibility in school systems run counter to a 40-year trend of increasing centralization and regulation at all levels of education. This trend included centralized student and teacher testing, statewide adoption of curriculum standards and materials, and uniform policies on course requirements, class size and homework. Only in the past decade have states — followed by federal and district governments — begun to think seriously about making school systems more flexible.

The first step along this path came in the form of waivers from existing regulations and efforts to thin existing education codes. The premise behind these strategies was that allowing a few schools to function in different ways would provide a jolt powerful enough to change the education system. Yet in most states, few districts and schools took advantage of the opportunity for waivers; those that did requested only modest exemptions.

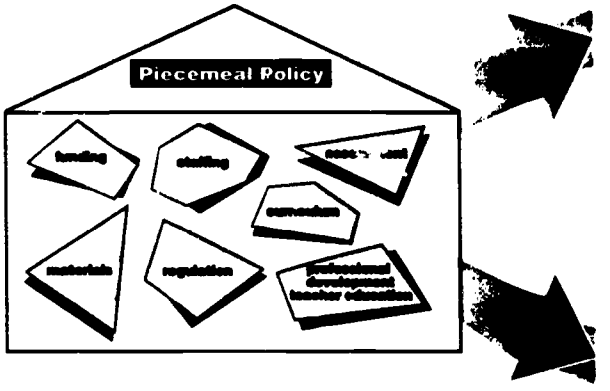
These early efforts to increase flexibility began — and in many states remain — as a disparate set of initiatives. As policymakers attempt to build on these initiatives, other policy components may need to change as well. Among the key questions: How can collective bargaining agreements give schools more flexibility in deploying resources? How can the financing system be adjusted to reflect and support this new system? Should there be learning zones or charter districts?

To support decentralization, changes may also be necessary in education governance structures. What responsibilities should a state department of education or a school district's central office assume? What role should superintendents and school board members play?

THE MOVE TOWARD FLEXIBILITY

Two strategies have characterized most recent efforts to improve schools. One strategy seeks to improve public education by making it more coherent — aligning the parts so that they work better together. The other strategy seeks to improve public education by expanding the options available for providing educational services — using markets and other incentives to improve student learning.

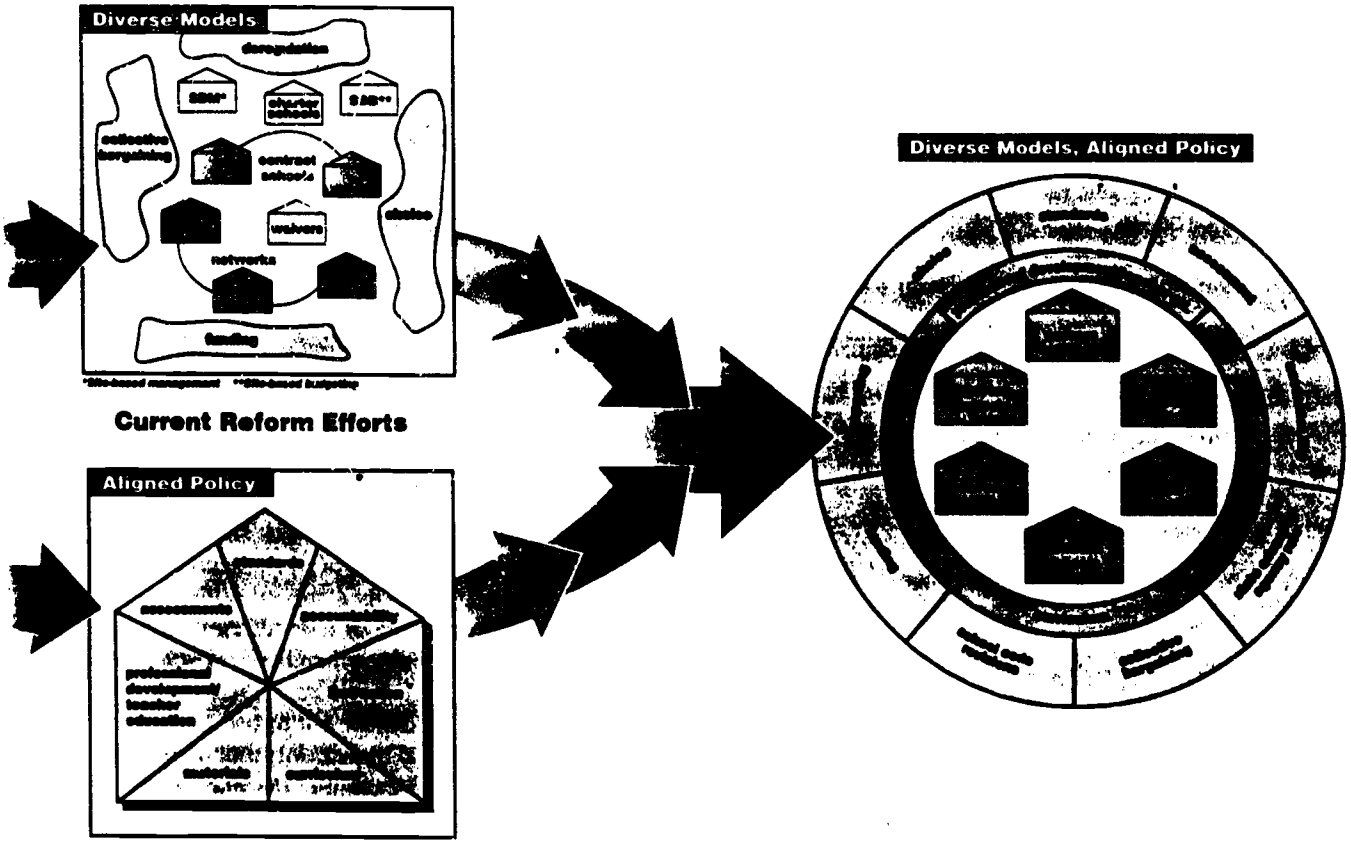
On the surface, these two directions of reform appear con-



tradictory. In fact, the increased accountability that comes with coherent, standards-based systems can help ensure that more flexible, market-driven education systems are still delivering what the public needs — highly educated students.

The following figure illustrates the paths these reforms have taken to date — and the path they might take in the future. The box at the far left represents education systems of the early 1980s, which resulted in piecemeal policy. The box at the bottom of the diagram represents a single model of how schools operate, driven by aligned elements, with high standards and accountability. The top box shows many kinds of schools, operating with some structural supports but also loose accountability.

The circle at the far right represents a synthesis of these two strategies: multiple kinds of schools in a supportive and accountable environment.



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The range of strategies that fall under the heading of "flexibility" can be divided into two broad categories: (1) those that are designed to apply to all schools; and (2) those that present individual schools, districts and communities with options.

The first category includes waivers; state education code revisions; standards, assessment and accountability reforms; public school choice; vouchers; collective bargaining changes; school finance changes; and the restructuring of state agencies or school district offices.

The second category includes decentralized decisionmaking and alternative models of delivering education, such as charter schools, reform networks and private contracting.

PUERTO RICO'S VOUCHER PLAN

Puerto Rico established a special scholarship and free selection of schools program. The program was originally designed to broaden options for parents and students by allowing them to choose between public and private schools; to stimulate talented students to take university courses while in high school; and to grant economic incentives for public schools to improve their offerings. The Puerto Rico Supreme Court recently ruled that public school scholarships cannot be used for private schools.

UNIVERSAL POLICY STRATEGIES

- Waivers

  Many states permit schools to seek waivers from state rules and regulations. The Illinois Superintendent of Education may waive any departmental rule or regulation except those related to special education and teacher certification. Missouri authorizes waivers for any school that meets state board criteria for three successive school years. The Wisconsin Board of Education can grant waivers from virtually any state law or administrative rule.

  Waivers permit the suspension of applicable rules in specific circumstances to allow local innovation, adjustment to unique needs or rewards for extraordinary performance. By definition, waivers are exceptional actions taken at the discretion of state or local authorities. They leave the existing regulatory structure intact and apply only to specifically named schools; other schools do not gain flexibility, and schools that lose their waivers for any reason are returned to the general regulatory regime.

  Three kinds of waivers are possible:

  (1) *Waivers of elements of the state code or federal or state categorical program rules.* Such waivers can be granted only by the authority that promulgates them; states cannot waive federal program regulations unless federal law provides waiver authority. (Texas is one of seven states with EdFlex status — a provision of the federal Goals 2000 Plan that gives the state commissioner authority to grant waivers of federal regulations. The only exceptions are civil rights and special education regulations.) States and local school districts can, however, decide not to use a waiver authority granted by a higher form of government. Some states, for example, do not permit school-wide use of federal Title I funds even in circumstances permitted by federal law.

  (2) *Waivers of teacher collective bargaining provisions.* Such waivers can be granted by teachers' unions, usually permitting teachers in particular schools to experiment with working conditions not allowed by the prevailing teacher contract. These waivers are usually granted at the request

of teachers who want to try out new models of collaboration or instructional management. In some cases, unions will also waive teacher certification requirements to allow schools in shortage areas to find teachers or to allow people with advanced technical training or experience to teach without certificates.

(3) *Blanket waivers.* These provide general permission for schools in a particular place or category to waive all or most provisions of state law. When such waivers are granted, schools are usually held accountable for promises about instructional methods, criteria for student admission and services, and student performance. Charter school laws in some states include formalized blanket waiver programs with clear universal criteria for school eligibility.

- State Education Code Revisions

  State education codes have become so extensive and complex that few people understand their contents. For the past 15 years, states have made periodic attempts to repeal and simplify the rules and regulations that limit schools' abilities to tailor instruction to the needs of their students. State code revisions usually change provisions requiring standard staffing tables for schools and the duties of administrators, standard days and hours of school operation, indexing of instruction according to Carnegie units, uniform definitions of courses, specified numbers of certified teachers, or requirements that all public schools be operated directly by local school boards.

  In South Dakota, the legislature abolished nearly 100 state statutes and 500 administrative rules governing K-12 education. South Carolina now exempts schools from the Defined Minimum Program, Basic Skills Assessment Program and Remedial/ Compensatory Program requirements if the school meets the student performance criteria. The Texas legislature has reduced its education code by half and has given more authority to local school boards. Most code revisions, however, have been piecemeal and temporary. Special interest groups have often fought to keep regulations that protect their programs, and some have been successful later in adding new regulations with the same effect as ones that had been eliminated.

MICHIGAN'S CHANGES TO COLLECTIVE BARGAINING

In Michigan, a new law eliminates the following topics from collective bargaining:

- ***The school year start date and number of hours of pupil instruction as required by the state education code.***
- ***The composition of site-based decisionmaking bodies or school improvement committees established pursuant to requirements of the education code.***
- ***The decision of whether or not to allow open enrollment or in what grades or schools to offer open enrollment.***
- ***The decision of whether or not to contract with a third party for one or more non-instructional support services.***
- ***The decision of whether or not to approve a contract for a public school academy.***
- ***The use of volunteers.***
- ***Decisions concerning the use of experimental or pilot programs or technology to deliver educational programs including necessary staffing.***

ALTERNATIVE FOR THE MIDDLE YEARS
PHILADELPHIA, PENNSYLVANIA

Alternative for the Middle Years (AMY), a Re:Learning school, serves 250 students in grades 6-8. AMY has implemented many instructional and organizational changes in the last six years, including:

- ***Block scheduling, team teaching and a thematic approach to curriculum planning.***
- ***Use of various assessment techniques, including both standardized tests and performance-based exhibitions.***
- ***Content and curriculum standards developed jointly by staff, students and community.***
- ***School governance council including staff, parents and students.***

Among the city's middle schools, AMY currently has the lowest incidence of student disciplinary problems. Since 1993, the student dropout and staff turnover rates have dropped to zero, and attendance rates for both students and faculty have risen to 95 percent. In the 1994-95 school year, 71 percent of AMY students increased reading scores on the Gates McGinitie assessment by at least one level. Ninety percent of AMY graduates have gone on to special-admission high schools.

- Standards, Assessment and Accountability Reforms

  Many states are now developing content and performance standards for student achievement. These standards are intended to drive major changes in the education system by defining what students should know and be able to do. Teachers need the authority and resources to make changes to help students meet higher standards. Standards-driven reforms coupled with flexible reforms have the potential to create positive changes in education.

  Forty-six states require schools to report data on performance, to assess strengths and weaknesses and to make public commitments to pursue improvement strategies. Reporting requirements are designed to ensure that the public has adequate information on the performance of schools. In addition, independent sources of school performance data — collected and analyzed by public bodies and independent contractors — are used to verify school claims. Each school's internal and external reports must then be presented in public forums, such as newspapers and public meetings, that allow public officials, parents and the community to critique the school's performance and suggest their own interpretations. The Wisconsin Superintendent of Education is required to adopt and approve examinations that measure pupils' attainment of knowledge and concepts in the 4th, 8th and 10th grades.

  The potential consequences for schools that fail to perform adequately include the provision of financial and technical assistance, the loss of accreditation, state take-over or closure. In Texas, if a school falls below 30 percent mastery, it must undergo an accreditation visit, hold public hearings on each campus and develop a campus improvement plan. If there is no improvement after three years, the school can be closed.

- Public School Choice

  Thirty-nine states allow families to choose the public schools their children attend. The intent of most choice plans is to create pressures for school improvement and options for students in failing schools. Advocates believe that schools will be forced by the (potential) loss of students and the subsequent loss of funding to improve their instructional programs. Some states allow families to send their children to schools in the same school district (intra-district choice), while others allow open enrollment to any district (inter-district choice).

- Vouchers

  Milwaukee, Wisconsin's experimental voucher program represents another option for school choice. The program enables families to use public funds to purchase schooling from licensed schools, public or private. In theory, such a voucher plan can be even more effective than charter schools in creating competition. In 1995, the Wisconsin legislature amended its law to allow religious schools to participate in the Milwaukee program. The expansion to religious schools in the Milwaukee program is currently under court review.

  Statewide ballot measures to create voucher programs in other states have not been successful, although some states and localities are experimenting with small voucher programs for students from the lowest-performing neighborhood schools.

  Proponents of such choice options argue that the existing education system preserves teachers' and administrators' jobs whether or not their students learn. Without any consequences for student failure (or success), this argument holds, schools have no incentive to change. Indeed, some schools and school districts flounder for years; by the time they are taken over by the state, too many students have lost the opportunity for an adequate education.

- Changes in Collective Bargaining

  Collective bargaining is often seen as a barrier to flexibility, particularly by people who are not part of a collective bargaining unit. Consequently, states are considering changes in state laws governing the areas of school policy that can be controlled by teachers or that support union contracts. Michigan legislation, for example, narrows the scope of bargaining to wages and working conditions and reduces unions' ability to bargain or grieve over school board policy and questions of curriculum instruction.

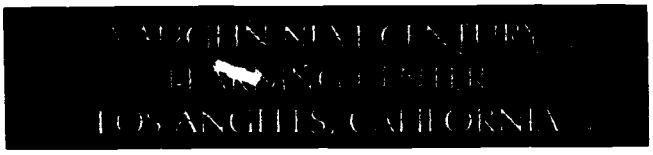
  Some states are also considering changing the legal provisions that require teacher employment to be governed by district-wide agreements. Specific provisions under consideration include school control of hiring, pay, in-service training, evaluation and job continuation.

O'FARRELL COMMUNITY SCHOOL; CENTER FOR ADVANCED ACADEMIC STUDIES; SAN DIEGO, CALIFORNIA

The O'Farrell Community School, converted to charter status in 1994, uses a student-centered, activity-oriented learning program that is supported by state-of-the-art technology to help students meet several custom-designed school readiness standards and be prepared for advanced-level high school courses. The school prides itself on the enriched, untracked nature of its instructional program and its assessment of students based on their academic outcomes.

The school is governed by a community council composed of teachers, parents, students and community representatives that makes major budget and staffing allocation decisions. O'Farrell has significant influence over its staff selection, and staff participate in annual peer reviews. Curriculum, scheduling and student discipline decisions are coordinated through the school's nine teacher-led Educational Families.

O'Farrell is affiliated with a number of state and national reform efforts, including the Coalition of Essential Schools, the National Alliance for Restructuring Education, California's Healthy Start program, the New Standards Project and Apple Computer's Christopher Columbus Consortium. The school also has partnerships with and funding support from the Stuart and Panasonic Foundations, Cox Cable and San Diego State University.



The Vaughn Next Century Learning Center is a full-service charter school based on a child-centered curriculum, small class size, integrated technology, pre-school education and accelerated English transition for those who have limited English proficiency. The school is governed by several working committees that set policy and oversee all site-based operations, including private contracting, personnel flexibility and collective bargaining.

Since obtaining its charter in 1993, the school has extended its academic year to 200 days, reduced class sizes, created new classrooms, broadened special education support services and raised teacher salaries above union-negotiated district levels. Student scores on reading, math and language tests have improved, and students with limited English proficiency have transitioned more quickly.

Vaughn was awarded the California Distinguished School award in 1995, serves as a model site for the RJR Nabisco Next Century Schools, is a Danforth Foundation Successful School and participates in California's School Restructuring and Healthy Start programs.

Tenure laws give teachers who complete a short period of probationary employment a right to lifetime jobs, except in extreme cases of malfeasance. In many districts, seniority also gives teachers preferential placement in schools. Some states are considering eliminating both of these provisions in favor of term contracts for individuals and school selection of teachers without respect to seniority. These changes would give schools more freedom to select teachers committed to the schools' instructional philosophies. (A 1995 Wisconsin law repeals teacher tenure in populous counties.)

Many states allow aspiring teachers to obtain certification via channels other than those designated in collective bargaining agreements or in current state certification rules. Some states have also relaxed rules requiring that all public school teachers be certified. Flexible staffing patterns are an integral part of most successful school improvement strategies.

- School Finance Changes

For the past 30 years, states have struggled to reduce per-pupil spending disparities among school districts. Armed with several legal theories, poor districts and low-income parents sued states for a fairer share of educational revenues. Resulting legal and legislative actions have reduced differences in inter-district per-pupil expenditures.

More recently, states have modified finance formulas to provide more funding stability and to reduce unfunded mandates on local school districts. While important, these school financing measures have done little to improve student learning.

States have only recently begun to consider policies that more closely tie school finance to student performance. Examples include:

- *Developing new finance formulas that send money directly to schools.* Under such formulas, the money would be controlled at the school level and used for staff development, self-assessment, technical assistance and, in some cases, school-level decisions on staff composition, compensation, and hiring and firing. States could also consolidate state categorical program funding at the school site and take maximum advantage of flexibility provided under federal Title I for school-wide use of funds.

Great Britain's 1988 National Education Act incorporated this concept by requiring that 90 percent of the funds received by local education agencies be passed through to schools on a per-pupil basis. Charter school legislation typically requires that districts provide either the state's per-pupil allocation or a combined state and local per-pupil allocation to the new school.

Providing funding to schools instead of assigned resources increases the school's flexibility and capacity to improve student learning. Providing funding to schools on a per-pupil basis would also eliminate large intra-district disparities in per-pupil spending.

- *Tying financial incentives or sanctions to student performance.* Georgia gives achievement grants to schools or systems that receive a superior comprehensive evaluation rating; the grants may be spent in any way the recipients decide. Indiana provides pay increases for educators when their schools excel.

  Some states provide financial assistance or apply sanctions to schools that fail to meet minimum standards. State capital investment funds can be used for the redevelopment of failed schools, and state funds can be used for technical assistance to districts falling behind performance expectations. In most cases, sanctions for low performance include removal of the district superintendent, a district or school takeover by the state, or in rare cases the consolidation or closing of the district. The use of sanctions has been authorized in 29 states.

- Restructuring State Agencies and School District Offices

  Several states — including Ohio, Kentucky, Illinois and Virginia — have downsized their education departments and changed the departments' focus from regulation to assistance. Several school districts — including Cincinnati, Chicago, Denver and Seattle — have adopted the same approach, reducing their central office staff and shifting functions to sub-districts or local schools.

  Many such shifts, however, have been motivated more by budgetary cuts than by any change in philosophy. With few models of how central offices should provide assistance, many downsized school bureaucracies continue to perform the traditional controlling functions. With fewer people and longer delays, these offices may actually offer less assistance.

  Several states have funded staff development programs to help schools meet new standards and implement curricular frameworks. Kentucky pioneered such efforts.

OPTIONS FOR SCHOOLS, DISTRICTS AND COMMUNITIES

- Decentralizing Decisionmaking

  Site-based management (SBM) is designed to give the people closest to students — their parents and teachers — the tools to make appropriate decisions about their education. While the logic of SBM is certainly appealing, its implementation and effects are not nearly so straightforward.

  The definition of site-based management varies widely; in fact, many of the models that have been adopted do not actually involve the local management of schools. Nor do most of the models address external constraints to decisionmaking or extend authority over budgetary, hiring and firing decisions.

  According to a review conducted by the Brookings Institution, almost all SBM programs contain vague goals and lack any real connection to student performance. Schools tend to see site-based management as an end in itself, rather than as a tool to boost student achievement. As researchers at the RAND Corporation concluded, it is too soon to know whether significant governance changes improve schools educationally, but not too soon to see that decentralization efforts can fail to produce meaningful governance changes.

HARDING ELEMENTARY SCHOOL FERNDALE, MICHIGAN

Harding Elementary School restructured its school year in 1993 to provide extended-year programming to its ethnically diverse, high-risk, K-6 populations.

Based on a 200-day calendar, Harding's academic year consists of five 40-day sessions. Enrichment programs during three inter-session periods annually provide an additional 15 days of learning opportunities for students.

The restructured school year has provided a framework for employing several new programmatic and instructional strategies, including use of non-graded mixed-age classrooms, team teaching, increased planning time for teachers, curriculum revision and the development of plans for using technology in the classroom.

Harding has seen improved student achievement over the past several years — in terms of skill, performance and attendance levels. The community has been supportive of the changes implemented at Harding; today, there is an enrollment waiting list for the school.

Among the keys to successful site-based management is teacher participation. By fostering a sense of collective responsibility, increasing accountability and enhancing organizational learning opportunities, SBM programs that involve teachers often produce stronger student outcomes

- Alternative Models of Delivering Education
  Several reforms are designed to provide models of education that differ significantly from traditional schools.

  - *Charter Schools.* Charter schools offer the opportunity to incorporate many of the aspects of a flexible system into a single school. In some states, parents, teachers or any other group with the vision and commitment to improve education can propose a charter school.

    Charter schools are meant to be highly autonomous institutions, with the potential to control their budget, staffing and curriculum decisions. They may be granted waivers from specific rules or blanket waivers, depending on state policy.

    The flexibility charter schools receive is accompanied by higher expectations. Indeed, the success of a charter school hinges on its ability to attract and retain students. Schools that fail to perform can be closed.

  - *Reform Networks.* The move toward flexibility has received a boost from the experiences of school reform networks. Thousands of schools are now using different methods and theories to transform their instructional programs. Some of these strategies are based on the New American Schools designs. Others reflect the philosophies of university-based school improvement networks, such as Accelerated Schools and the Coalition of Essential Schools. Still others have been fostered by states themselves. The preliminary success of these innovations has made parents and policymakers more receptive to change and less patient with those who insist on maintaining the status quo.

Reform networks spread information about successful innovations and provide technical assistance to schools adopting improvement strategies. These networks also connect professionals who help each other find solutions to sustain their change efforts.

The networks' efforts are supported in some states by extra funding. Ohio's venture capital investment fund, for example, provides substantial one-time grants for strategic planning, adoption of new school-wide improvement plans and purchase of curriculum materials and teacher training from school assistance organizations.

- *Private Contracting.* In education, private vendors are used for many non-instructional purchases, such as building operations and maintenance, and for both instructional and non-instructional supplies. Permitting state departments, school districts and schools to contract with private providers can greatly increase options for finding the most effective and efficient educational services.

  Some states permit districts to contract out educational services, in some cases assigning the management and staffing of whole schools or districts to independent organizations. In Pennsylvania, for example, the Wilkinsburg School Board contracted with a private company to operate a troubled elementary school. Baltimore and Hartford both entrusted the operation of a number of their schools to the private Educational Alternatives, Inc., before eventually ending the contracts.

  The Edison Project is based on the principle that radical change in education is more likely to come from a private effort, free of political boundaries and infused with urgency. The Edison Project shifted its priority from building new schools to managing existing schools. Schools managed by the Edison Project teach a foreign language to students in their first year, provide computers and modems linked to students' homes, maintain seven- to eight-hour days and shorter summers, and teach character education and fine arts. Additionally, schools spend less on administration, are accountable for meeting specific goals for students and teachers, and compensate teachers according to performance.

HORIZONS ALTERNATIVE SCHOOL BOULDER, COLORADO

Horizons Alternative School was established by the Boulder Valley School District as a response to area demands for restructuring elementary education. The school opened its doors to 96 students in the fall of 1991 and has grown to 284 students in grades K-8.

Horizons is governed by a council that is open to all parents and teachers and is responsible for establishing and implementing the goals of the school. Horizons places a strong emphasis on community service and parent involvement. Teachers and staff are observed and reviewed by their peers four times a year. Individual learning plans for each student are developed collaboratively by the teacher, student and parents. Students are grouped in mixed-age homerooms according to developmental levels. Assessments are performance-based and evaluate students in many areas and through many different methods.

Almost all of the restructuring at Horizons has been accomplished within existing state and district regulations, and Horizons operates with the same yearly budget allocations provided other schools of the same size in the district. Horizons receives consistently high approval ratings from teachers, parents and students. The school is a member of the Quality School Network and has received numerous grants and awards, including the Governor's Creativity Award and a "Learn and Serve Colorado" grant, which promotes family, school and community service.

LIVINGSTON TECHNICAL ACADEMY HOWELL, MICHIGAN

Livingston Technical Academy represents a partnership between local employers, residents and the public school system. A two-year public high school, Livingston was established in 1995 to prepare students for high-wage, high-skill careers in manufacturing.

Livingston's program sets high standards for career, academic and personal achievement. Core courses are integrated with technical studies to show students how to apply their learning in a real working environment. The school coordinates an internship program that allows students to work on-site at a local manufacturing company with industry professionals and school instructors for ten weeks each academic year.

The school is committed to being responsive to the changing needs of the business and manufacturing communities. Course offerings include speech, physics, algebra, electronics, technical writing, industrial chemistry, computer applications, machine mechanics, blueprint reading, quality in manufacturing, economics/personal finance, manufacturing processes and technical statistics/probability.

Many other districts have successfully contracted out for more limited instructional services, such as foreign language, arts and music instruction. Some have hired independent contractors to teach federally required programs, such as compensatory education and education for the disabled.

Contracting for services and management has yielded substantial savings in some districts. In New Jersey, for example, the Piscataway school district saved $480,000 and increased student participation by 45 percent when it contracted out for food services. The district also saved $1.3 million by selling its fleet of buses and other vehicles to a contractor, saving an additional $1.4 million in operating costs, salaries and benefits for bus drivers. In Memphis, Tenn., ServiceMaster saved the school district $1 million in custodial services and made employees more responsive to school principals.

THREE STATES' STRATEGIES

Changing a state's policy environment to one supportive of flexibility and a wider variety of educational options is a complex undertaking. How a state proceeds depends on the history of the state, its economic and education situation and its political climate. The following section describe how three states, Michigan, Texas and Pennsylvania, have built more flexibility into their educational systems.

Michigan and Texas both had years of experience with accountability systems and statewide testing. Both states tried to build on that history by aggressively expanding opportunities for schools to be more diverse. Michigan and Texas changed their school code to give districts greater responsibility and to free them from restrictions. Texas found consensus among its constituents for loosening its detailed standards and curriculum frameworks.

Pennsylvania faced an entirely different problem. The state's strong and historic commitment to local control provided ample opportunity for local flexibility in curriculum and instruction but little guidance on what was expected of students and detailed expectations for employee and personnel issues. Pennsylvania has approached reform by better defining desired student results and redrafting some personnel policies.

While all three states have made laudable efforts to provide greater flexibility, barriers persist. Labor issues such as collective bargaining, tenure, certification and professional development promote adults' security rather than increased student achievement. Information and assistance on alternative delivery and instructional modes need to be identified and disseminated, if schools and communities are to exercise informed choices. Restructuring the role and responsibilities of state departments of education, districts, regional services units, universities and school boards is a massive policy task that few states have begun to tackle.

MICHIGAN

During the past few years, Michigan has undertaken a comprehensive effort to improve its K-12 education system. The purpose of Michigan's reforms is four-fold:

(1) To instill high academic expectations for all students and enhanced levels of accountability.

(2) To remove potential state-level barriers by deregulating, granting authority to those most directly involved in the teaching and learning enterprise, and expanding educational choices.

(3) To modify school personnel policies.

(4) create a more equitable funding system.

Several pieces of legislation have been key to this strategy. The state is required to develop content standards for use by local school districts as they adopt and implement a model core academic curriculum. Use of the content standards by the local districts is voluntary, but statewide assessments will be based on content standards.

All school buildings are required to be accredited, based on standards adopted by the Michigan Board of Education and approved by legislative committees. The standards include legislative requirements; seven areas of school function; and academic achievement, as measured by the results of statewide assessments.

The Board of Education adopted professional development standards that apply to all state and federal professional development initiatives. Local school districts are encouraged to use the standards in the design and development of professional development programs.

The Public School Academies Act of 1994 permitted the creation of independent charter schools. School choice and open enrollment are recommended within counties in the governor's 1996-97 budget. There are no provisions for vouchers in Michigan. Home schooling is permitted under the law.

The School Code Reform Act of 1995 reduced and revised state regulations governing public education. As part of an accountability measure, the code requires each school to provide an annual public report, describing its accreditation status and its progress in implementing the model core academic curriculum.

Sanctions for poor-performing schools include replacement of the building administrator, a provision for parents to choose an accredited building within the district, affiliation with a research-based school reform program, school take-over and closure. The state board may waive board or department rules.

In addition, Michigan recently restructured its school financing system, voting to replace property tax revenues with those from a state sales tax.

TEXAS

Texas has shifted its education policy from a focus on regulation to one of flexibility and accountability. The reforms are based on the assumption that all students can learn and that schools should be held accountable for results.

The state's comprehensive school accountability system includes a performance-based statewide assessment and secondary exit-level and end-of-course assessments. The results of these assessments are used in accrediting school districts and in evaluating the performance of the commissioner, directors of regional service centers, school district superintendents, school principals and teachers.

A "comparable improvement" indicator, to be phased in by 1998, will measure how much a school has improved student performance in a year in comparison to similar schools. Several other indicators reflect how many of a school's students have achieved a minimum standard of performance.

Sanctions range in severity from public notice and hearings to the removal of local boards and annexing the district to another. The state provides financial rewards for schools that show improvement and uses intervention teams to recommend changes in poorly performing schools.

As part of this strong accountability model, Texas has stripped away many of its regulatory requirements, beginning with one of the most comprehensive code revisions in the country. A 1995 law completely revised and reorganized the Texas Education Code to improve student achievement by:

- removing unnecessary mandates;
- placing authority and power at the local level; and
- giving citizens and governing bodies options and choices through various charter arrangements.

The state provides three charter options that free schools and districts from most state controls: a home-rule school district is initiated by citizen petition or school board action; an open-enrollment campus charter is granted by the state board; and a campus charter may be granted by a local board.

Texas allows intra- and inter-district choice for students attending low-performing schools. The state has also taken steps to downsize its central education agency, increase the use of technology and reform its system of school finance.

Texas has granted more than 5,000 waivers in the last five years. Significant resources have been shifted from the state education agency to regional service centers.

PENNSYLVANIA

Pennsylvania's recent reforms build on an historic commitment to local control for school districts. Pennsylvania allows local districts and schools to offer alternative education programs with minimal restrictions and has recently initiated funding for these programs. Parents may withdraw their children from any instruction or assessment program they find objectionable and may home-school their children, based on curriculum requirements that differ from those required for public schools. Pennsylvania does not select textbooks or establish detailed curriculum requirements, but it does have a number of discrete statutory and regulatory mandates imposed on school districts, particularly around employment issues.

Prior education reform efforts were driven by a series of curriculum and assessment regulations adopted in 1993. The regulations required each district to produce a strategic plan aligning school improvement strategies with state goals and student outcomes, and removed some of the state's previous mandates, such as the number of minutes required per subject. The current student learning outcomes are measured independently by all 501 school districts — not directly throughout the state assessment system that tests basic skills in a few curriculum areas. Each school district determines whether a student has demonstrated sufficient proficiency for high school graduation.

Tenure reform prompted considerable debate in the 1996 legislative session. A recently enacted law increased from two to three years the period before employees earned professional employee status or tenure. Additional criteria have been added, expanding causes for the dismissal of school employees. Now at issue is a provision to replace permanent with renewable certification for all teachers and administrative personnel.

Several other significant barriers to flexibility remain. They include:

- a school finance system that does not address academic performance, innovation or cooperative services;
- a set of protections for employees that are unrelated to student or even school district performance;
- a rigid teacher licensing system; and
- fundamental differences about the future direction of state education policy, particularly in the area of flexibility.

The governor has proposed a landmark school flexibility program. The focal point of the initiative is a school choice program enabling students to attend a school of their choice within the school district of residence, a school outside of the district of residence, or a private school. Educational opportunity grants (vouchers) would be provided to assist students to attend the school of their choice.

The initiative also includes a strong charter school law, permitting waivers of many current requirements, including certification. In addition, a sweeping waiver provision enables districts to request relief from state requirements from the secretary of education. The waivers last for four years and are automatically renewable if the district can demonstrate to the department that the waiver has been successful.

NATIONAL SURVEY

State efforts to increase flexibility are summarized in the table on the following page. This review is based on state statutes and, in some cases, state board of education regulations.

Several patterns are clear. First, most states (44) now mandate some form of standards statewide. Almost half of the states (25) now prepare mandated curriculum frameworks, although 12 states make the use of such frameworks voluntary at the local level.

Most states (46) also mandate assessments of student performance. Many encourage local districts to conduct their own assessments, which typically exceed the state's requirements and are often tied to local district improvement plans. Some observers have questioned the appropriateness of mandated assessments as means of evaluating innovative, high-performance school designs.

A majority of states now requires school, district and statewide reports, typically including demographic profiles of students, profiles of educators, measures of student achievement and fiscal information. Roughly half of the states (29) provide for sanctions to be imposed when schools or districts fall below a state's minimum performance standards. Almost as many (20) provide incentives to recognize superior performance.

A total of 34 states provides for open enrollment across district lines, while the charter school concept is now embraced in 23 states and Washington, D.C. Two states and Puerto Rico have adopted voucher provisions. Milwaukee's and Cleveland's voucher programs are being challenged in court.

	WAIVERS		STATE CODE REVISIONS	STANDARDS	[illegible]	[illegible]
	BLANKET	PETITIONS				
ALABAMA		Y	Y	S;M	S;M	S;M
ALASKA	Y (charters)	Y		S;M;L;M	S;V;L;M	S;M;L;M
ARIZONA**	Y (charters)			S;M;L;M	S;M;L;M	S;M;L;M
ARKANSAS				S;M	S;M	S;M;L;M
CALIFORNIA	Y (challenge schools)	Y		S;V;L;M	S;M;L;M	S;V;L;V
COLORADO		Y	Y	S;M;L;M	L;M	S;M;L;M
CONNECTICUT		Y	Y	S;M;L;M	S;M	S;M;L;V
DELAWARE			Y	S;M;L;M	L;M	S;M;L;V
DISTRICT OF COLUMBIA				S;M	S;M	S;M
FLORIDA		Y	Y	S;M;L;M	S;M;L;M	S;M;L;M
GEORGIA		Y	Y	S;M;L;M	S;M;L;V	S;M+;L;M
HAWAII	Y (site based schools)	Y		S;M		S;M
IDAHO		Y		S;M	S;M;L;V	S;M;L;V
ILLINOIS		Y		S;M;L;M	L;M	S;M;L;M
INDIANA		Y		S;M;L;M	L;M	S;M;L;V
IOWA	Y (charters)	Y			S;V;L;M	L;M
KANSAS**				S;M	S;M;L;M	S;M;L;M
KENTUCKY		Y		S;M;L;M	S;M;L;M	S;M;L;V
LOUISIANA				S;M	S;M;L;V	S;M
MAINE		Y		S;M	S;M;L;V	S;M+;L;V
MARYLAND		Y		S;M	L;M	S;M
MASSACHUSETTS	Y		Y*	S;M;L;M	S;V;L;M	S;M*
MICHIGAN			Y	S;M;L;V	S;V;L;M	S;M;L;V
MINNESOTA		Y	Y	S;M;L;M	S;V;L;M	S;M;L;M
MISSISSIPPI		Y		S;M;L;M	L;M;S;V	S;M;L;M
MISSOURI		Y		S;M;L;M	S;V;L;M	S;M;L;M
MONTANA		Y		S;M;L;M	S;V	S;M
NEBRASKA		Y		S;M+*	S;M	S;M*+;L;M
NEVADA		Y			S;M	S;M;L;V
NEW HAMPSHIRE				S;M	S;V	S;M;L;V
NEW JERSEY		Y		S;M*;L;M*	L;M	S;M
NEW MEXICO		Y		S;M	S;M	S;M
NEW YORK		Y		S;M	L;M	S;M;L;M
NORTH CAROLINA		Y		S;M	S;M;L;M	S;M;L;V
NORTH DAKOTA**		Y		S;V	S;M	
OHIO		Y	Y	S;M;L;M	S;V;L;M	S;M
OKLAHOMA		Y		S;M;L;M	S;M;L;V	S;M;L;M
OREGON		Y		S;M	S;V;L;M	S;M;L;M
PENNSYLVANIA		Y		S;V	L;M	S;M;L;M
RHODE ISLAND				S;M;L;M	S;M;L;M	S;M;L;V
SOUTH CAROLINA		Y		S;M;L;M	S;V;L;M	S;M;L;V
SOUTH DAKOTA		Y	Y	S;V	L;M	S;M;L;M
TENNESSEE		Y			S;M;L;M	S;M
TEXAS		Y	Y	S;M;L;V	S;M;L;V	S;M;L;V
UTAH**	Y	Y		S;M	S;M;L;V	S;M
VERMONT		Y		L;M	L;M;S;V	S;V;L;V
VIRGINIA		Y (limited)		S;M;L;M	L;M	S;M;L;M
WASHINGTON		Y		S;M	S;M	S;M;L;V
WEST VIRGINIA		Y	Y	S;M;L;M	S;M;L;M	S;M;L;V
WISCONSIN		Y		S;M;L;M	S;V;L;M	S;M
WYOMING				S;M		

KEY: Y=yes, L=local; S=state; V=voluntary; M=mandatory; A=across district enrollment choice allowed; W=within district enrollment choice allowed, +=not funded

ACCOUNTABILITY			SITE-BASED MANAGEMENT	CHARTERS	OPEN ENROLLMENT	VOUCHERS	LEA AND STATE AGENCY
REPORTING	INCENTIVES	SANCTIONS					
S;M;L;M		Y	Y				Y
S;M;L;M	Y+			Y			
S;M;L;M			Y	Y	A;M;W;M		
S;M;L;M		Y	Y	Y	A;V		Y
S;M;L;M	Y	Y	Y	Y	A;V;W;M		Y
L;M	Y	Y	Y	Y	A;W		Y
S;M;L;M	Y		Y	Y	A;V;W;V		
S;M;L;M			Y	Y	A;W		
	Y	Y*	Y	Y	W;M		
S;M;L;M		Y	Y	Y	W;V		Y
S;M	Y	Y	Y	Y	A;V;W;V		
S;M			Y	Y	W;V		
S;V;L;V	Y		Y		A;V;W;V		
S;M;L;M		Y	Y	Y	W		Y
S;M;L;M	Y	Y (Indianapolis only)	Y		W;V	Y (Indianapolis only for summer remedial)	
S;M		Y			A;M;W;V		
S;M;L;M			Y	Y	A;V		
S;M	Y	Y	Y				Y
S;M	Y	Y	Y	Y			
L;M					A		
S;M;L;M	Y*	Y	Y		A;W		
S;M		Y	Y	Y	A;W		
S;M;L;V	Y	Y	Y	Y			
			L;V	Y	A;W		Y
S;M;L;M	Y	Y	Y				
	Y*	Y	Y		A;V		
					A;V;W;V		
			L;V		A;W;V		
S;M			Y		A;W (both limited)		Y
			L;V	Y	A;W		Y
S;M;L;M	Y	Y	Y	Y	A;V		Y
L;M	Y	Y	Y	Y			
L;M		Y	Y		A		
S;M;L;M		Y	Y				Y
					A;W		
L;M			L;V		A;V; W;M	1 district under litigation	Y
S;M;L;M		Y	Y				
S;M		Y	Y		A;V;W;V		
S;M			L;V		A;V;W;V		Y*
L;M			Y	Y			
S;M;L;M	Y	Y	L;V		A;V;W;V		Y
S;M;L;M							Y
S;M	Y	Y	Y		A;V;W;V		
S;M;L;M	Y	Y	Y	Y	A;V;W;V		
L;M			Y		A;W		
S;M			Y		A;V		
S;M;L;M					A;V		
S;M;L;M	Y*	Y*			A;W		
S;M;L;M	Y	Y	Y		A;V;W;V		
S;M		Y	Y	Y	A;W (Milwaukee)	Milwaukee parent choice	
				Y			

g developed; #=being reassessed; * =no SDE response

▸ CHAPTER 3

MAKING FLEXIBILITY WORK

Flexibility is key to any real transformation of American public education, but it cannot succeed if it is seen as just another project, or as an overlay to all previous school improvement efforts. Even if state legislators and governors are able to agree on new frameworks for school funding, accountability and assistance, implementation of a flexible new system of public education will not be automatic. State and local school boards, elected to manage rule-driven education systems, will have to adjust to profoundly changed powers and limitations.

State and local administrative offices will also find that many of their compliance functions are obsolete, and that schools need different forms of assistance, delivered in different ways. State and local officials whose actions send the message that flexibility is just one reform approach among many — or that the old way of doing business will soon return — can stall change at the school level.

To make flexibility work, policymakers need to provide an infrastructure of investment, information and assistance; introduce strong incentives; and make fundamental changes in the role of the school, the school board and the state education agency.

PROVIDING AN INFRASTRUCTURE

As a decade of trial and effort with site-based management has demonstrated, community members and school professionals do not always know what to do with freedom when they get it. After six years of decentralization in Chicago, for example, fewer than one-third of elementary schools have made significant improvements in instruction, and few high schools have done so. Many educators lack the basic knowledge and technical skills required to implement a reform.

Furthermore, few school staffs are able to develop a coherent strategy for school-wide improvement. The day-to-day pressures of teaching prevent most educators from inventing their own theories of instruction. Even the most capable and imaginative educators can profit from the experience of others and from help in adapting a known model of instruction to a particular school setting. To produce improvements in instruction and student learning, schools need advice, training and hands-on support.

Such training must come at times and in ways that are consistent with school-level control of funds and responsibility for instructional strategy. Policymakers need to create an assistance infrastructure that is available to all schools yet responsive to individual school needs. Some assistance might come from government-funded organizations, but schools must be free to purchase help from private sources as well.

State and local policymakers have four roles in creating such an infrastructure: (1) investing to ensure an adequate supply of competent assistance organizations, both public and private; (2) providing consumer information to help school staffs connect with appropriate sources of assistance; (3) directing extra funds to schools in trouble and (4) in schools that have failed, matching new staffs with capable assistance organizations.

- Investing in assistance organizations and school networks

  Few state and local agencies have transformed themselves into "assistance organizations," in part because the agencies are staffed by people who were hired and trained to perform monitoring and compliance functions, not to provide assistance. In addition, no one knows exactly what an assistance-oriented state or local administration should look like or how it should operate. A state or local agency organized to provide only one kind of assistance might push schools toward an undesirable uniformity. An agency that tries to assist a wide range of schools might be spread too thin to be effective.

  A diverse system of schools might, in fact, be incompatible with the idea of a single assistance provider. To maximize the opportunities for appropriate assistance, schools may need a range of independent providers — rather than a single state or local agency (or contract or reform network) with a monopoly on the assistance function.

  While there are many providers of staff development sessions and inspirational talks, few existing organizations can take on a whole school and help it through a sustained process of improvement. Even fewer can claim to have indexed their methods to newly developed world-class student performance standards. Those that can are typically national organizations, funded by foundations or by voluntary networks of schools that collaborate on developing new curriculum, teacher training programs and assessment methods. Because whole-school assistance is highly

labor-intensive, the existing networks and organizations cannot help more than a fraction of the nation's schools at any one time. If such assistance is to be available to all of a state's schools, additional investment is needed.

Providing such investment is a logical role for states to play. New assistance organizations could be based at colleges and universities, non-profit organizations or think tanks. Once ready to assist schools, they could then be funded by fees from the schools themselves.

- Providing consumer information for schools
  In addition to investing in whole-school assistance organizations, states could also provide information that helped schools identify the highest-quality sources of assistance and associate themselves with networks or providers that best met their needs.

- Directing extra funds to troubled schools
  While all schools should, in theory, be able to take advantage of greater freedom to improve instruction and student learning, experience suggests that not all schools are willing or able do so. Some school staffs might earnestly search for and implement new ideas and find that they do not boost student achievement. Some schools may be immobilized by adult conflicts or inertia; others may serve needy populations for which no instructional program produces all the desired effects.

  Some schools may need temporary (for a period of two to three years) funding to engage a new whole-school assistance organization, retrain administrators to manage funds and personnel, educate existing teachers, or recruit new ones. Some schools may demonstrate so little capacity to change and improve that the only way to protect students is to close the schools and pay the up-front costs of creating new ones.

  A flexible system must retain an emergency response capacity. State or local education agencies need to be able to invest in the improvement of schools in such situations. The alternative to such investment — the continuation of a low-performance school — is even more expensive.

- Matching new school staffs with assistance providers
  In some cases it may be necessary for local or state authorities to close and replace a school whose performance does not improve. School closing and reconstitution can be done without chilling innovation in other schools — if performance criteria are clear in advance and if remedial actions are focused on the individual schools concerned and do not lead to re-regulation of all schools. Reconstitution requires up-front investment for planning, clarification of the school's theme or instructional method, and selection and advance training of staff. In such situations, local or state school boards can play important roles: ensuring that the new school's theme and method meet community needs and helping to identify assistance organizations with appropriate expertise.

INTRODUCING INCENTIVES

Providing assistance is enough to start the improvement process in many schools, but not in all. As the experience of school assistance organizations has shown, some schools are so internally divided — or so impeded by small groups of staff who refuse to vary their routines — that they will not change without strong incentives.

An incentive system must have (1) a set of standards against which school performance can be judged; (2) valid and fair methods for measuring performance; and (3) consequences.

- Standards
  Performance standards must be clear and specific, yet not so extensive or detailed that they require more than any school can do or force all schools to pursue the same instructional schedule and methods.

- Measurement
  Almost all states are now building student assessment systems that allow them to track schools' progress toward state standards. When used as part of a system of incentives for school performance, measurement must do something that current tests need not do: provide valid performance assessments for individual schools.

Current tests are designed to provide district-wide averages for all students, for students of different backgrounds or for students participating in district-wide programs such as Title I. Providing a good summary assessment of the real achievement level of the children in a particular school takes more intensive testing — of more students and in more subjects — than many existing testing programs attempt.

Education measurement is a maturing technology, still far from perfect. Interstate collaboration may be useful in refining assessment tools.

- Consequences

  Teachers and administrators must understand that their own careers — their prospects for raises, promotion, new professional opportunities and job security — are affected by the overall performance of the school in which they work. Concern for the performance of the whole school motivates honest self-assessment, serious search for more effective methods and full implementation of improvements.

  Consequences cannot always be administered fairly: The low-performing staff members of high-performing schools benefit from the school's overall reputation, just as the high-performing members of a failing organization suffer along with the others. In a flexible education system, however, schools will have the leverage to demand higher performance of their weaker members or to replace them, and teachers with outstanding reputations will have more opportunities than others.

  The penalties for a school's poor performance may include closure, reconstitution or loss of funding. The rewards for teachers in top-performing schools are equally powerful: increased funding as enrollment increases, chances to lead new schools, paid roles as advisors to other schools and future employment opportunities in independent assistance organizations.

CHANGING THE ROLE OF THE SCHOOL

Flexibility implies changing the role of individual schools from one of "nodes" in a bureaucracy to that of accountable, independent organizations. Advocates of site-based management, magnet schools, reform networks, charter schools and education vouchers all make school autonomy the core of their reforms. These reforms are based on three tenets:

1. To enjoy true freedom of action, individual schools must control real-dollar resources.

2. To be fully responsible for evaluating their own performance and taking strong action to improve instruction, individual schools must control key decisions about employment of teachers and administrators: hiring, compensation, evaluation and firing.

3. To allow schools to pursue definite strategies of instruction, families must be able to choose schools whose approaches they understand and support. Parents who cannot accept a school's approach must be free to choose another school in which they and their children can be more comfortable.

- Control of Funding

  To create school control of funding, policymakers must make changes in the basic operational philosophy of public school systems, under which funds are largely controlled at the central office. Virtually everything that matters in schools — staff salaries and benefits, equipment, supplies and books, building upkeep and repairs, even in-service training and advisory services — is currently selected and paid for at district headquarters.

  Few public schools today control even one percent of the funds generated from state and local sources. To maximize schools' opportunities, policymakers need to shift most funding to the school level. Complete financial decentralization would require that:

  - Federal, state and district revenues follow students to the school level.
  - Schools receive budgets based on enrollment with few or no strings attached.
  - Schools be funded on a per-pupil basis, with only minor adjustments for at-risk students.
  - School budget allocations cover all the costs of operating schools, including instructional costs, special needs costs and transportation costs.

- All publicly funded schools have equal access to public resources, including assistance organizations and restructuring networks.

- Schools control resources for technical assistance, faculty development and restructuring.

These measures imply termination of any existing contrary arrangements. If funds are to go to the school level, they must not be controlled elsewhere. Items of expenditure for central office functions and staffing must be severely cut.

- Control of Staffing
To create school control of staffing, policymakers must redefine teachers' basic employment relationships. Teachers are now district employees, serving in particular schools because they have been assigned there by the district. In many districts, senior teachers enjoy their choice of assignments, often "bumping" junior staff.

To maximize flexibility, schools must be allowed to hire teachers who match their instructional philosophy and meet current staffing needs. This means that:

- Collective bargaining laws permit school-level hiring and teacher evaluation.

- Teachers' employment guarantees be replaced with employment contingent on contribution to the individual school.

- Schools work with union leaders to ensure fair treatment of teachers as professionals whose pay and tenure are based on performance.

- States develop means of attracting a fresh supply of teachers.

- States revise teacher licensing laws to permit schools to hire from a wider pool of potential applicants.

Again, these measures imply termination of contrary arrangements. If schools are to be the employers of teachers, teachers must not be assigned to schools on the basis of seniority or other district priorities.

Flexibility implies changing the role of individual schools from one of "nodes" in a bureaucracy to that of accountable, independent organizations.

- Voluntary Association of Staff and Parents
  To create voluntary association of staff and parents, policymakers need not eliminate neighborhood schools or prepare to transport large numbers of students over long distances. Most parents will choose schools in their own neighborhoods, and a relatively small number will use choice as a means to escape from a school they do not consider a good match for their child. Such a system would serve neighborhoods well without requiring schools to accommodate incompatible parent demands. This means that:

  - Schools adopt pedagogies that suit the needs and preferences of the majority of neighborhood parents.
  - Properly funded new schools, tailored to neighborhood needs, replace failing schools.
  - Districts create magnet schools to serve families whose needs or tastes are not reflected by the majority in any neighborhood.
  - All schools have fair access to qualified staff and funding for instructional planning and staff training.
  - Districts offer ample public information and ensure that over-subscribed schools give every applicant a fair chance of gaining admission.

CHANGING THE ROLE OF THE SCHOOL BOARD

As the role of the school changes, so must the role of the local school board and central administration. School boards must remain politically accountable for ensuring that every child in a community has access to a quality education. But boards also need new powers to support innovative schools and to intervene to transform or replace failing schools. Rather than the direct operation of schools, boards must become responsible for the management of many diverse and independent schools.

Under a flexible system, all public schools would operate under specific performance agreements. The school would be one party to the agreement; the local school board, the other. Every school's agreement would specify the amount of public funds it would receive, the type of instructional program it would provide, and the types and levels of student outcomes it would be accountable for. A local school board's agreement with failing schools or schools that did not attract students could be terminated. Boards could offer agreements to groups or organizations that have run successful schools or that can assemble highly qualified staffs and show how they will provide a well-grounded instructional program.

These missions are fundamentally different from those now performed by local schools boards, and it is hard to imagine how a board established to run schools directly could adapt smoothly to such a profound change. State governments might at some point need to dissolve existing local school boards and central administrative offices and establish new ones with the new mission.

The transition from old to new school board functions could be made in four ways:[1]

1. *Gradual Replacement.* One transition strategy might leave both old and new boards working at the same time for a while. In a particular locality, a new school board entitled to start schools could coexist with a conventional school district for a fixed period while the new agency, on a scheduled annual basis, took over a growing share of the old district's funds and used it to develop new schools under performance agreements. After a fixed period, the old school board's operating authority would expire and the new contract-oriented school board would control all the funds.

2. *Immediate Replacement.* A second alternative strategy could dissolve all existing local boards immediately, and mandate new elections for boards that would take over all public schools in a locality. These boards would have a fixed period — e.g., five years — to redevelop all schools under new performance agreements.

3. *Gradual Re-Missioning.* A third approach to transition would allow existing school boards to accept new missions. As under some charter school bills, the existing school boards could evolve into a dual mission agency, which would both run schools directly and provide them under new performance agreements. Moving toward such a mixed mission agency might

cause less controversy in the beginning, but legislatures might pay the price of continued strife over whether local boards were using their powers to protect the schools they run directly from competition.

4. *Competitive Boards.* A fourth approach to transition would eliminate the existing school board's exclusive powers to authorize and fund public schools in a designated geographic area. As Ted Kolderie has proposed, the state might authorize many different entities to develop schools under new performance agreements. Urban areas with few good schools might be designated "learning zones," in which a variety of public agencies would be allowed to sponsor schools. Some of these entities might compete within only one geographic area, while others might authorize and oversee schools in many localities. In any case, entities that fostered development of effective schools would become responsible for a growing share of all schools in an area, traditional school boards that were unable to grant schools maximum flexibility would eventually be replaced by other entities that allow schools to operate creatively and efficiently.

However the transition is made, existing school boards will move slowly. To facilitate change — and avoid a return to "business as usual" — state law needs to require local boards to:

- Send funds directly to schools.
- Avoid forming a civil service system or retaining more than a small number of full-time employees.
- Avoid taxing schools or imposing mandatory charges for goods and services that schools might otherwise purchase on the open market.
- Permit schools to contract for services such as evaluation, transportation, teacher training and payroll.
- Hire contractors to publish school descriptions and school performance profiles.

CHANGING THE ROLE OF THE STATE EDUCATION AGENCY

The roles and missions of state education agencies must change from monitoring compliance to promoting an ongoing conversation about performance standards, and from spending money according to centrally developed priorities to responding to individual schools' requests.

In a flexible system, the state department of education must also help local school boards perform their roles as managers of portfolios of distinctive schools. This implies a dramatic change from state departments' traditional role as managers of federal categorical funds and monitors of local compliance with regulations. State departments will need to assist local boards to ensure that they give schools all the freedoms intended by state reform statutes. State departments of education will need to help ensure that local boards and individual schools can find competent sources of assistance, on curriculum, staff development and school evaluation.

Though some state departments have these capabilities, none has enough staff to provide direct assistance to all localities that will need it. Unless governors and legislators are willing to create far larger and more capable state departments — an unlikely event in today's economic climate — state agencies are unlikely to become major sources of assistance and services. They can, however, be transformed into investors, spending relatively small amounts of seed money to encourage formation of independent providers and voluntary networks for staff development, school evaluation and assistance to failing schools.

[1] For more complete presentations of these ideas, see the ECS publication, *The New American Urban School District*, September, 1995, particularly articles by Chester E. Finn, Ted Kolderie, and Paul T Hill.

▸ CHAPTER 4

TOWARD A NEW SYSTEM OF EDUCATION

Ultimately, responsibility for improving student performance belongs at the local level, where the stakes are highest and where constructive change is most likely to occur. The cornerstone is the creation of a new system of education, focused on improving individual and overall student achievement. This section describes the keys to such a system — including assessment, accountability and community involvement — and suggests four strategies for moving in that direction.

ASSESSMENT, ACCOUNTABILITY AND COMMUNITY INVOLVEMENT

In order to gauge student achievement and evaluate the success of different schools and districts, states need to implement a reliable assessment system — based on their own education standards and curriculum frameworks. Such a system should be used in conjunction with diverse teaching and testing strategies at the local level. States also need an accountability system to keep the public informed of schools' progress.

In addition, states must shift responsibility for improving student achievement to schools and districts. This process should include significant community involvement, regular reporting to the public, rewards for success and sanctions for poor school performance.

A locally controlled education system must involve families, schools and communities as equal and essential partners. The local school board and superintendent should lead the transition to a new achievement system and engage the public in its design. The state should provide districts with regulatory relief and autonomy, while ensuring that equity, safety, fiscal responsibility and other public priorities are upheld.

In order for these recommendations to be carried out, the state must:

- Ensure that those who work in schools participate in targeted professional development opportunities and have the tools and incentives they need to do their jobs well.
- Identify and strengthen school design networks, partnerships and other support structures.
- Expand the technological capacity of schools and districts.
- Restore the strength of urban schools.
- Provide an adequately and equitably funded education system.

These recommendations are meant to be implemented in a comprehensive manner, as an alternative governance plan. Piecemeal attempts have typically brought limited success.

COMBINING STRATEGIES

In recent years, governors and legislatures have found it far easier to call for standards than to support changes in financing, regulation and collective bargaining — changes that many interest groups have opposed. Nevertheless, the policies described above can be integrated in four politically palatable strategies:

1. A reform of school finance that provides state funding directly to schools on a per-pupil basis, sets aside a state investment fund, and holds schools individually accountable under state standards.
2. A statewide charter school program that directs funds to schools on a per-pupil basis, includes a state investment capacity, and requires charter-granting agencies (e.g., school boards, state boards and other state entities, or universities) to base performance expectations on state standards.
3. A state school assistance program that focuses on redeveloping failing schools to meet state standards, but also allows successful schools to petition for charter status and requires local school districts to fund individual schools on a per-pupil basis.
4. A set of local trials of flexibility strategies, including any of the three above, plus education vouchers.

Any of these approaches would create an integrated flexibility strategy relatively quickly. The school finance approach (1) could be initiated in response to a court order or a legislative initiative to equalize funding statewide. It would differ from traditional statewide school finance remedies in providing funds directly to schools on a per-pupil basis and in holding schools as units accountable for performance.

The charter schools approach (2) could start with existing charter schools laws and make important additions, including elimination of statewide caps on the numbers of charter schools, more explicit criteria governing granting of charters, and authority for local school districts to initiate charter arrangements as well as to respond to unsolicited proposals.

The school assistance approach (3) could build on existing efforts to redirect the state education agency, creating new state agency powers to fund schools on a per-pupil basis; grant charters based on state standards; work with school districts to redevelop failed schools; and encourage school-specific performance agreements between local school boards and schools.

Of all four approaches listed above, the one whose potential has been least explored is local trials (4). Although states have considered local trials of voucher, contract, and charter plans, opposition from interest groups usually produces watered-down tests. Voucher trials usually limit parental choices to a few schools and provide vouchers worth far less than the district's average per-pupil expenditure. Trials of other concepts are similarly constrained. Trials of per-pupil funding directly to schools, for example, often hold all incumbents harmless with respect to their jobs and compensation. Even in Edmonton, Alberta — widely celebrated for its direct funding of schools — teacher salaries, which constitute as much as 80 percent of schools' budgets, are set centrally. The first charter school laws limited the number of schools that could be approved. Consequently, the results cannot reveal much about how a universal charter school law would work.

Despite their political difficulties, honest local trials are easier to initiate than statewide programs. The results are also easier to interpret, and unacceptable effects on students can be identified and remedied quickly.

CONCLUSION

State leaders have the ability — and certainly the desire — to create dramatic improvements in public education. But if we want more effective schools, we must encourage flexibility throughout the system. As we should have learned from earlier reform efforts, half-measures usually produce disappointing results.

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CONTRIBUTORS

The Education Commission of the States gratefully acknowledges the contributions from the following people in creating this report.

Major Writers:

Paul Hill

University of Washington

Larry Pierce

University of Washington

Writer, School Profiles

Suzanne Weiss

Reviewers:

Jeanne Allen
The Center for Education Reform

Barbara Clark
New York State Assembly

Howard Fuller
Institute for the Transformation of Learning

Tim Kelly
Office of the Governor, Michigan

Peggy Kerns
Colorado House of Representatives

Ted Kolderie
Center for Policy Studies

Bruno Manno
The Hudson Institute

Patricia Mitchell
Council of Chief State School Offices

Joe Nathan
Minnesota Center for School Change

William Porter
Formerly Office of the Governor, Colorado

Teressa Staten
Michigan Department of Education

Michelle Tobias
Office of the Governor, Texas

Ron Tomalis
Pennsylvania State Department of Education

Greg White
Pennsylvania State Department of Education

Charles Zogby
Office of the Governor, Pennsylvania

Michigan Department of Education

Pennsylvania Department of Education

Texas Education Agency

Deborah Clemmons led the document development team at the Education Commission of the States. Other ECS team members included Jane Armstrong, Judy Bray, Antoinette Garcia, Christine Johnson, Sarah Lowthian, Kay McClenney, Alex Medler, Frank Newman, Robert Palaich, Gloria Zradicka, Gordon Van De Water

Editing and layout by Greenberg, Baron, Simon and Miller Inc., Denver, Colorado

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707 17th Street, Suite 2700
Denver, Colorado 80202-3427
Telephone: 303-299-3600
Fax: 303-296-8332
e-mail: ecs@ecs.org